



Order Filed on December 21, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY (Trenton)

Caption in Compliance with D.N.J. LBR 9004-1(b)  
2017-2375

Powers Kirn, LLC  
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Moorestown, NJ 08057  
(856) 802-1000  
Attorney for The Bank of New York Mellon fka The  
Bank of New York as Trustee for the  
Certificateholders of CWABS Inc., Asset-Backed  
Certificates, Series 2004-11

In Re:

Kevin F. Kinckle  
Mary C. Kinckle

Case No.: 17-17091-CMG

Chapter: 13

Hearing Date: 12/06/2017 at 9:00am

Judge: Honorable Christine M. Gravelle

Recommended Local Form:

☒ Followed

☐ Modified

**ORDER VACATING STAY**

The relief set forth on the following page is hereby **ORDERED**.

DATED: December 21, 2017

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Upon the motion of Powers Kirn, LLC, Attorneys for The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of CWABS Inc., Asset-Backed Certificates, Series 2004-11 ("The Bank of New York Mellon") debtor(s)' mortgagee, under Bankruptcy Code Section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause, it is

**ORDERED** that the automatic stay is hereby vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as 17 Betsy Ross Drive, Allentown, NJ 08501.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, and any trustee and any other party who entered an appearance on the motion.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Kevin F. Kinckle  
Mary C Kinckle  
Debtors

Case No. 17-17091-CMG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 23, 2017.  
db/jdb +Kevin F. Kinckle, Mary C Kinckle, 17 Betsy Ross Drive, Allentown, NJ 08501-1872

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 23, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 21, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Brian W. Hofmeister on behalf of Joint Debtor Mary C Kinckle bwh@hofmeisterfirm.com  
Brian W. Hofmeister on behalf of Debtor Kevin F. Kinckle bwh@hofmeisterfirm.com  
Melissa A Volet, I on behalf of Creditor Four Seasons at Upper Freehold HOA  
mvolet@stark-stark.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
William M.E. Powers on behalf of Creditor The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWABS Inc., Asset-Backed Certificates, Series 2004-11 ecf@powerskirn.com  
William M.E. Powers, III on behalf of Creditor The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWABS Inc., Asset-Backed Certificates, Series 2004-11 ecf@powerskirn.com

TOTAL: 7